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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

PETER DELVECCHIA, individually and as
next friend of A.D., a Minor,) Case No.: 2:19-cv-01322-KJD-DJA
Plaintiffs,)
v.)
FRONTIER AIRLINES, INC.,)
SCOTT WARREN, and REX SHUPE,)
Defendants.)
**JOINT REQUEST FOR PRETRIAL
CONFERENCE**
LR 16-2

Plaintiffs Peter DelVecchia, individually and as next friend of A.D., a minor (collectively “Plaintiffs”), and Defendants Frontier Airlines, Inc. (“Frontier”), Scott Warren, and Rex Shupe (collectively “Defendants”), each by their undersigned counsel, hereby file this request for a Pretrial Conference pursuant to Local Rule LR 16-2. The parties would prefer that the conference be held via Zoom conference, in light of the ongoing pandemic and the locations of lead counsel outside of the District. In support of this joint request, the parties state that there has been considerable delay in the progress of this

case, mostly due to travel restrictions necessitated by the pandemic, but also due to some unresolved matters relating to pleadings and discovery. The parties believe that a pretrial conference would assist the parties and the Court in creating a timeline for the resolution of those outstanding matters and in defining any necessary proceedings for their resolution, such as a hearing with a representative of the Transportation Security Administration (TSA) to determine whether TSA's demands for a specialized Protective Order incorporating certain procedural elements relative to Sensitive Security Information (SSI) comport with the Court's previous Order concerning access to SSI by Plaintiff Peter DelVecchia and Attorney John McKay. For the Court's reference, the matters unresolved at this time are as follows:

- Whether specific language and procedures demanded by TSA for the release of SSI to DelVecchia and McKay comport with the Court's April 1, 2020 Order (ECF No. 76) pursuant to Section 525(d) of the Department of Homeland Security Appropriations Act of 2007, Pub. L. No. 109-295, 120 Stat. 1355, 1382 (October 4, 2006)(this matter has not yet been briefed, as TSA is not a party to this case);
- Defendants' Partial Motion to Dismiss Counts III and VII of the Second Amended Complaint (ECF No. 108), which has been fully briefed since July 14, 2020;
- Defendants' Motion to Strike the Second Amended Complaint (ECF No. 107), which has been fully briefed since July 13, 2020;
- Plaintiffs' Request (ECF No. 105) pursuant to LR IB 3-1(a) for leave to file a reply to Defendants' Response (ECF No. 104) to Plaintiffs' Rule 72(a) Objections (ECF No. 88) to certain parts of Magistrate Judge Albregts' May 8, 2020 Order on Plaintiffs' Second Amended Motion to Compel Discovery (ECF No. 83), which Request was filed on June 5, 2020; and

- Plaintiffs' Rule 72(a) Objections (ECF No. 88) to certain parts of Magistrate Judge Albregts' May 8, 2020 Order on Plaintiffs' Second Amended Motion to Compel Discovery (ECF No. 83), which, except for the aforementioned outstanding Request for leave to file a reply, have been fully briefed since June 5, 2020.

The parties respectfully request that a Pretrial Conference be held in this case, preferably via Zoom conference, at the earliest opportunity that is convenient for the Court.

DATED this 15th day of March, 2021

Respectfully submitted,

/s/John D. McKay
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12 *Attorneys for Defendants Frontier Airlines, Inc.,
13 Scott Warren & Rex Shupe*

14 **CERTIFICATE OF SERVICE**

15 Pursuant to LR IC 4-1, I hereby certify that on the 15th day of March, 2021, the foregoing **JOINT**
16 **REQUEST FOR PRETRIAL CONFERENCE** was served upon the following counsel of record **by**
17 **email only:**

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30 /s/John D. McKay